

To see if the Town will amend the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, to correct internal references, remove unreferenced definitions, and reformat sections of the Bylaw to help clarify the intent of the Bylaw to its readers, or act in any other manner in relation thereto.

DESCRIPTION: The purpose of this proposed amendment is to address internal references in Section 5.2, make several corrections and updates in Section 10 (Definitions), correct internal references related to those proposed edits, and reformat Section 8.7.

PROPOSED MOTION

That Chapter 135 of the Code of the Town of Lexington, the Zoning Bylaw, be amended as follows:

1. Correct internal references within Section 5.2 of the Zoning Bylaw, Signs:

§ 5.2.8.2.a. In particular instances the SPGA may issue special permits for projecting signs in accordance with § 5.2.4410, if it is determined that...

§ 5.2.8.2.3. In particular instances the SPGA may issue special permits for standing signs in accordance with § 5.2.4410, if it is determined that...

2. Correct and update Section 10, Definitions:

Delete unused definitions: DBM, indirect light, lowest floor, new construction, radio-frequency radiation, substantial damage, and substantial improvement.

Add definition for “Telecommunications Act:

Telecommunications Act: The Federal Telecommunications Act of 1996

Delete the definition of “Development Regulations” and replace with “Subdivision Regulations” and “Zoning Regulations,” in alphabetical order, as detailed below:

Subdivision Regulations: Chapter 175 of the Code of Lexington is the document adopted and amended from time to time by the Planning Board, containing various regulations, procedures, standards, and fees for actions used in dealing with subdivision control and other matters relative to residential and commercial development in Lexington.

Zoning Regulations: Chapter 176 of the Code of Lexington is the document adopted and amended from time to time by the Planning Board, containing various regulations, procedures, standards, and fees for actions that the Planning Board uses in dealing with special permits, site plan review, and other matters relative to residential and commercial development in Lexington.

Amend the definition of “funeral home or parlor” to “funeral parlor” as all references to the term in the Bylaw are to “funeral parlors.”

3. Correct internal references related to the above proposed edits:

Add a reference to the “Telecommunications Act” in §6.4.13, and to “Channel” and “Wireless Communication Services” to “Telecommunications Act” in Definitions.

Replace the term “Development Regulations” with “Subdivision Regulations,” in §§ 5.3.14, 6.9.12, 6.9.13, and in the definition of Proof Plan in Section 10.

Replace the term “rules and regulations” in §§ 7.3.5.2, 7.3.5.5.b, and 9.5.4.2 with “Zoning Regulations.”

4. Reformat section 8.7, Nonconforming Off-Street Parking and Loading to reflect the format structure it had before the Bylaw was recodified by Town Meeting in 2014. The structure, with text removed, is summarized below:

8.7.1 Existing Nonconforming Parking Spaces or Loading Bays.

1. Change of Use.
2. Increase in Floor Area.
3. Parking Spaces or Loading Bays in Existence.
4. Parking Spaces or Loading Bays in Existence.
5. Credit.

8.7.2 Reconstruction or Replacement of a Building.

1. If a building...
2. If the uses...